



General Assembly

February Session, 2000

Raised Bill No. 386

LCO No. 1518

Referred to Committee on Environment

Introduced by:
(ENV)

An Act Concerning The Powers Of Marine Patrol Officers.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 15-154a of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) The selectmen of any town may appoint for such length of time
4 as they determine such number of special constables to be called town
5 marine officers as they deem necessary to enforce the provisions of this
6 chapter, section 53-134, subsection (b) of section 53a-119b and section
7 53a-182 on any body of water that lies wholly or partially within the
8 jurisdiction of the town, and the provisions of section 22a-250 on any
9 body of water that lies wholly or partially within the jurisdiction of the
10 town or upon land adjacent to such body of water and within the
11 jurisdiction of the town.

12 (b) The selectmen of any town may appoint, for such length of time
13 as they determine, town marine auxiliaries to the municipal police.
14 Such auxiliaries may, [monitor] on any body of water that lies wholly
15 or partially within the jurisdiction of the town or upon land adjacent to
16 such body of water [for compliance with the provisions of this chapter,

17 section 53-134, subsection (b) of section 53a-119b and section 53a-182,
18 provided such auxiliaries shall not have the power to arrest any person
19 and shall not be considered peace or police officers. The Commissioner
20 of Environmental Protection shall develop a training program for such
21 auxiliaries] and within the jurisdiction of the town, enforce the
22 following sections and any regulations adopted thereunder, insofar as
23 they are punishable solely by payment of a fine or through issuance of
24 an infraction: Sections 15-129, 15-129a, 15-131, as amended, subsections
25 (b), (c), (e), and (f) of section 15-133, sections 15-134, 15-135, 15-140b,
26 15-140d, 15-140e, 15-140g, 15-140h, 15-140j, 15-140m, 15-142,
27 subsections (a) and (c) of section 15-144, sections 15-147, 15-150, 15-153,
28 subsection (b) of section 15-175, section 53-190 and section 53-191.

29 (c) Town marine auxiliaries appointed under this section who (1)
30 have completed the training required under subsection (g) of this
31 section and (2) are identifiable by vessel and uniform, may stop, board
32 and terminate the voyage of any vessel that is under way or that is
33 moored on the waters of this state to enforce the sections set forth in
34 subsection (b) of this section and any regulations adopted thereunder.
35 Notwithstanding the enforcement powers granted under this section,
36 town marine auxiliaries shall not have the power to arrest any person
37 and shall not be considered peace officers or police officers.

38 (d) No person operating a vessel may refuse to stop the vessel or, if
39 sea conditions make stopping unsafe, refuse to take the vessel to a
40 designated location after a town marine auxiliary requests or signals
41 the operator to do so. Any person operating a vessel who refuses to
42 stop or refuses to take the vessel to a designated location after a town
43 marine auxiliary requests or signals the operator to do so shall have
44 committed an infraction.

45 (e) The Commissioner of Environmental Protection shall develop a
46 training course for town marine auxiliaries. Town marine auxiliaries
47 shall complete a town marine auxiliaries training course provided by
48 or approved by the commissioner. Municipalities shall assure that each

49 town marine auxiliary receives such training. Municipalities shall
50 maintain records of all such training of town marine auxiliaries. The
51 commissioner may audit such records. The commissioner may charge
52 municipalities for department-provided training.

53 (f) The Commissioner of Environmental Protection shall adopt
54 regulations, in accordance with the provisions of chapter 54, to set
55 standards for town marine auxiliaries.

Statement of Purpose:

To authorize municipal marine patrol auxiliaries to stop vessels and to set standards and require training for such auxiliaries.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]